

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
Harrisonburg Division**

<p>THOMAS D. DOMONOSKE, individually and on behalf of all those similarly situated,</p> <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">v.</p> <p>BANK OF AMERICA, N.A., a national banking association,</p> <p style="text-align: center;">Defendant.</p>	<p>Civil Action No. 5:08-cv-00066</p>
<p>VICTOR RIVERA, individually and on behalf of all those similarly situated,</p> <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">v.</p> <p>BANK OF AMERICA, N.A., a national banking association,</p> <p style="text-align: center;">Defendant.</p>	<p>Civil Action No. 5:09-cv-00080</p>

**NOTICE OF FILING PROPOSED ORDER OF PRELIMINARY
APPROVAL OF CLASS ACTION SETTLEMENT AND
AMENDED SETTLEMENT AGREEMENT**

Please take notice that Plaintiffs Thomas Domonoske and Victor Rivera, individually and on behalf of all those similarly situated, by counsel and pursuant to the Court's orders entered June 17, 2010 and August 27, 2010, hereby submit the parties' Amended Settlement Agreement, which contains their Proposed Preliminary Order (attached as Exhibit A to the Amended Settlement Agreement). The parties, through

counsel, will make themselves available to address any further issues with the Court, including without limitation the scheduling of dates for the Final Fairness Hearing and to comply with the requirements of Rule 23 of the Federal Rules of Civil Procedure.

September 9, 2010

Respectfully Submitted,

THOMAS D. DOMONOSKE and
VICTOR RIVERA, on behalf of
themselves and all others similarly
situated

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Certificate of Service

I hereby certify that on September 9, 2010, I filed the foregoing **Notice** with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following counsel for the defendant:

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